

416
87-15-A
PETITION FOR ZONING VARIANCE
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:
The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 409.2 to permit 500 parking spaces in lieu of the required 526 parking spaces and from Section 255.2 pursuant to Section 243.3 to permit a rear yard setback of 25 feet in lieu of the required 50 feet

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)
The configuration of the property, especially due to the I-83 off-ramp to the west and north of the subject property, renders it practically difficult and unreasonably hard to develop same without the requested variances.

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.
W 7,540

Contract Purchaser:
(Type or Print Name)
Signature
Address
City and State
Attorney for Petitioner:
R. Bruce Alderman
Address
Towson, Maryland 21204
City and State
Attorney's Telephone No.: 828-1050
Legal Owner(s):
DEERCO ROAD LIMITED PARTNERSHIP
(Type or Print Name)
By: *Clark F. MacKenzie*
Signature
Clark F. MacKenzie,
General Partner
(Type or Print Name)
Signature
2328 West Joppa Road
Suite 200
Address
Lutherville, Maryland 21093
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Name
Address
Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 12th day of June, 1986, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation through Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 14th day of July, 1986, at 10:15 o'clock.

Callahan
Zoning Commissioner of Baltimore County.
(over)
MICROFILMED

DATE *July 1986*
BY *John P. ...*

RECEIVED FOR FILING

DATE *July 1986*
BY *John P. ...*

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DATE *July 1986*
BY *John P. ...*

BALTIMORE COUNTY ZONING PLANS ADV. ORY COMMITTEE

June 30, 1986

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204
Chairman
R. Bruce Alderman, Esquire
29 West Susquehanna Avenue
Towson, Maryland 21204

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

RE: Item No. 416 - Case No. 87-15-A
Petitioner: Deereco Road Limited Partnership
Petition for Zoning Variance
Dear Mr. Alderman:
The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,
James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:kbb
Enclosures
cc: George William Stephens, Jr.
& Associates, Inc.

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BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner
Norman E. Gerber, AICP
FROM: Director, Office of Planning & Zoning
Date: July 8, 1986
SUBJECT: Petition for Zoning Variance No. 87-15-A

In view of the mix of uses that will be using the parking, this office is not opposed to the granting of the petitioner's request.

Norman E. Gerber
Norman E. Gerber, AICP

NEG:JGH:bjs

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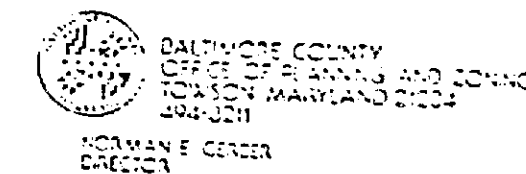
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BY *John P. ...*

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BY *John P. ...*



Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

JULY 1, 1986

Re: Zoning Advisory Meeting of May 20, 1986
Item # 416
Property Owner: DEERCO ROAD LIMITED PARTNERSHIP
Location: SW CORNER PADONIA RD. & DEERCO RD.
Dear Mr. Jablon:
The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are:

- ☐ There are no site planning factors requiring comment.
- ☐ A County Review Group Meeting is required.
- ☐ Forwarded by the Bureau of Public Services.
- ☐ This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- ☐ A record plat will be required and must be recorded prior to issuance of a building permit.
- ☐ The access is not satisfactory.
- ☐ The circulation on this site is not satisfactory.
- ☐ The parking arrangement is not satisfactory.
- ☐ Parking calculations must be shown on the plan.
- ☐ Development on these soils is prohibited.
- ☐ Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-53 of the Development Regulations.
- ☐ Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- ☐ The amended Development Plan was approved by the Planning Board.
- ☒ Landscaping: Must comply with Baltimore County Landscaping Manual, 8111 173-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is:
- ☒ The property is located in a traffic area controlled by a "T" level intersection as defined by Bill 173-79, and as conditions change the intersection must be improved. The deficient service is:
- ☒ A WAIVER OF CRG PLAN/MEETING WAS GRANTED BY THE PLANNING BOARD ON MAY 21, 1986.
- ☒ CRG FILE # 105 - 105, K/A FARMINGTON DEERCO SITE

cc: James Haswell
Eugene A. Dwyer
Chief, Current Planning and Development

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BY *John P. ...*

**BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610**

June 5, 1986

**TED ZAK, M.J.R.
DIRECTOR**

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

Re: Mr. Jablon
Comments on Item # 416 Zoning Advisory Committee Meeting as follows:
Property Owner: Deereco Road Limited Partnership
Location: SW corner Padonia Road and Deereco Road
District: 8th.

APPLICABLE ITEMS ARE CIRCLED:

1. All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Age-Related (M.C.H.A.R.) - 1980, and other applicable Codes and Standards.
2. A building and other miscellaneous permits shall be required before the start of any construction.
3. Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/is not required on plans and technical data.
4. Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Registered seals are not acceptable.
5. All Use Groups except B-1 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. B-4 Use Groups require a one hour wall if closer than 3'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 101, Section 1107, Section 1106.2 and Table 1102. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.
6. The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office should be considered until the necessary data pertaining to height/area and construction type is provided. See Table 101 and 505 and have your Architect/Engineer contact this Department.
7. The requested variance appears to conflict with Section(s) _____ of the Baltimore County Building Code.
8. When filing for a required Change of Use/Company Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of Use Groups are from Use _____ to Use _____, or to Mixed Use _____.
9. The proposed project appears to be located in a Flood Plain, Flood Hazard Area. Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevation above sea level for the lot and the finished floor levels including basement.
10. Comments: It is assumed there is a plan showing the handicapped parking spaces as required by the State of Maryland Handicapped Code and Section 512 of the B.C.O.C.A. Code. This plan does not appear to show any spaces that are wider than normal. As the variance deals with parking spaces it should correctly reflect the spaces.
11. These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, currently the applicant may obtain additional information by visiting Room 102 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

Michael S. Flanigan
Traffic Engineer Associate II



*NOTE: These Hotels Have Larger Commercial Areas; Restaurants, Lounges, Meeting & Banquet Facilities

Joint Use Properties	Square Footage Office Bldg.	No. Guest Room Hotel	Total Parking Spaces (P.S.) Available on Site	Parking Spaces Required By Code Office Bldg.	Parking Spaces Available For Hotel	# of P.S. Per Hotel Guest Rm.
Springfield Hilton/Office Building	123,445	246	822	491	328	1.33
Ramada Hotel/Office Building	78,600	172	550	314	236	1.37
Padonia Corporate Office Building	90,533	208	499	202	297	1.43

**PETITIONER'S
EXHIBIT 4**
CONLEY & WILLIAMS, INC.
JOINT USE PARKING STUDY
JULY 11, 1986

THE TRAFFIC GROUP, INC.

PARKING REQUIREMENTS FOR DEEREKO ROAD PROPERTY
(RAMADA INN AND OFFICE BUILDING)

THE TRAFFIC GROUP, INC.

Time	Weekday Hotel Uses						Weekday Office Use		Total No. Spaces Required/Hour
	Spaces/ Room	Spaces/ 208 Rooms	Spaces/ 1000 Sq.Ft. For Restaurant/ Lounge	Spaces/ 1500 Sq.Ft. Meeting Room	Spaces/ 203 Seats	Spaces/ 1000 Sq.Ft.	Spaces/ 90533 Sq.Ft.		
6:00am	1.00	208	12	0.00	0	0.10	9	229	
7:00	0.85	177	2.00	12	0.00	0	54	243	
8:00	0.65	135	2.00	12	0.20	41	172	359	
9:00	0.55	114	2.00	12	0.50	102	2.80	481	
10:00	0.45	94	2.00	12	0.50	102	3.00	478	
11:00	0.35	73	3.00	17	0.50	102	3.00	443	
12:00pm	0.30	62	5.00	29	0.50	102	2.70	447	
1:00	0.30	62	7.00	41	0.50	102	2.70	449	
2:00	0.35	73	6.00	35	0.50	102	2.90	472	
3:00	0.35	73	5.50	32	0.50	102	2.60	460	
4:00	0.45	94	5.00	29	0.50	102	2.70	452	
5:00	0.60	125	7.00	41	0.50	102	1.40	394	
6:00pm	0.70	146	9.00	52	0.50	102	0.70	363	
7:00	0.75	156	10.00	58	0.50	102	0.70	374	
8:00	0.90	187	10.00	58	0.50	102	0.70	386	
9:00	0.95	198	10.00	58	0.50	102	0.70	394	
10:00	1.00	208	9.00	52	0.20	41	0.10	310	
11:00	1.00	208	7.00	41	0.00	0	0.00	249	
12:00am	1.00	208	5.00	29	0.00	0	0.00	237	

**PETITIONER'S
EXHIBIT 6**

**BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550**

**STEPHEN E. COLLINS
DIRECTOR**

June 19, 1986

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 416 - ZAC-
Property Owner: Deereco Road Limited Partnership
Location: SW corner Padonia Road and Deereco Road
Existing Zoning: M.L. - IM
Proposed Zon. ng: Variance to permit 500 parking spaces in lieu of the required 596 parking spaces and to permit a rear yard setback of 25 feet in lieu of the required 50 feet.
5.875 acres
8th Election District

Acres:
District:
Dear Mr. Jablon:
The variance to parking can be expected to cause congestion on Padonia Road.

Very truly yours,
Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate II

MSF:lt

FROM THE OFFICE OF
GEORGE WILLIAM STEPHENS, JR. & ASSOCIATES, INC.
ENGINEERS
P.O. BOX 6828, TOWSON, MARYLAND 21204

July 11, 1986

REVISED PARKING TABULATION
PADONIA CORPORATE CENTER
FOR THE
RAMADA HOTEL
AND
OFFICE BUILDING

Gift Shop	141 s.f. @ 1 p.s./200 s.f.	0.71 p.s.
Restaurant/Lounge and Kitchen	Total of 5805 s.f. @ 1 p.s./50 s.f.	116.1 p.s.
Meeting Room 3291 s.f.		33.83 p.s.
Parking Required @ 1 p.s./6 seats (203 seats+6)		208 p.s.
Sleeping Rooms @ 1 p.s./room (208 rooms)		
Office Building		
1st Floor 16,028 s.f. @ 1 p.s./300 s.f.		53.43 p.s.
2nd-6th Floors 74,505 s.f. @ 1 p.s./500 s.f.		149.01 p.s.
TOTAL REQUIRED		561.08 p.s. = 562 p.s.
TOTAL PROVIDED		4500 p.s.

Variance Requested of 500 p.s.* in lieu of the required 562 p.s. per Section 409.

* Includes 10 handicapped spaces

**PETITIONER'S
EXHIBIT 2**

EDUCATIONAL BACKGROUND

Civil Engineering Preparation - Community College of Baltimore
Traffic Engineering Courses: Northwestern University Traffic Institute; University of Maryland

AFFILIATIONS

Institute of Transportation Engineers

PLACES WHERE TESTIFIED RELATING TO TRAFFIC ENGINEERING MATTERS

Board of Appeals - City of Easton
Zoning Hearing Examiner - Anne Arundel County
Zoning Commissioner - Baltimore County
Planning Board - Montgomery County

THE TRAFFIC GROUP, INC.

Suite 223, Greenspring Station
2360 W. Joppa Road
Lutherville, Maryland 21093
Telephone 301-583-8405

RESUME'S AND QUALIFICATIONS

MR. GLENN E. COOK

TRAFFIC ENGINEER

Mr. Cook has three years experience conducting Traffic Impact Studies, Geometric Design Plans, Parking Lot Layout Plans, Highway Lighting Plans and Traffic Control Plans. Mr. Cook's experience extends from small family subdivisions to the 2 million square foot PortAmerica Project and the 6 million square foot Presidential Corporate Centre Project.

Mr. Cook has over 13 years experience in the preparation of traffic signal design and construction plans. First, as a member of the Maryland State Highway Administration for 11 years and more recently as a consultant. Mr. Cook has personally designed or supervised the design of over 300 signalized intersections throughout Maryland and Northern Virginia. Mr. Cook's long experience in the public sector provides him with a wide range of knowledge to deal with the complex problems associated with receiving public agency approval of design and construction projects.

JOB HISTORY

1983 to Present
Traffic Engineering Consultant
1983 - 1979
Chief, Office Engineering Section
Maryland State Highway Administration
1979 - 1972
Traffic Signal Design Section
Maryland State Highway Administration

**PETITIONER'S
EXHIBIT 5**

IN RE: PETITION ZONING VARIANCES * BEFORE THE
SW/corner of Padonia and * ZONING COMMISSIONER
Deereco Roads - 8th Election *
District * OF BALTIMORE COUNTY
Deereco Road Limited Partner- *
ship, * Case No. 87-15-A
Petitioner *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests variances to permit 500 parking spaces in lieu of the required 596 spaces and a rear yard setback of 25 feet in lieu of the required 50 feet, as more particularly described on Petitioner's Exhibit 1.

The Petitioner, by Gary Gill, President, Clark MacKenzie & Associates, its General Partner, appeared and was represented by Counsel. There were no Protestants.

At the onset of the hearing, the Petitioner moved to amend the Petition to reflect a new computation for the parking variance requested. Based on the projected uses, 562 spaces would be needed to satisfy the zoning requirements instead of the 596 spaces calculated. The motion was granted. Still, only 500 spaces can be provided.

Testimony indicated that the subject property, located at the corner of Deereco and Padonia Roads and zoned M.L.-I.M., will be improved with a hotel-office complex. Due to the location of Interstate 83 and an off-ramp from the highway, a rear yard setback of 25 feet in lieu of the required 50 feet from the building to the property line is required. If the off-ramp were not located where it is, no variance would be necessary. The building cannot be relocated due to the size of the property and its sole access being from Deereco Road.

instant variances were not granted. It has been established that the requirement from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variances requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variances should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 13th day of July, 1986, that the Petition for Zoning Variances to permit 500 parking spaces in lieu of the required 562 spaces and a rear yard setback of 25 feet instead of the required 50 feet be and is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions, which are conditions precedent to the relief granted herein:

1. The Petitioner may apply for its building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. A revised site plan shall be submitted to the Zoning Commissioner for approval. If any further revisions are necessary, they must be submitted to the Zoning Commissioner for approval and no hearing will be required.

Zoning Commissioner of Baltimore County

cc: Bruce Alderman, Esquire
People's Counsel

PETITION FOR ZONING VARIANCES

8th Election District
Case No. 87-15-A

LOCATION: Southwest Corner of Padonia Road and Deereco Road

DATE AND TIME: Monday, July 14, 1986, at 10:15 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Zoning Variances to permit 500 parking spaces in lieu of the required 596 spaces and a rear yard setback of 25 feet in lieu of the required 50 feet

Being the property of Deereco Road Limited Partnership, as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

July 9, 1986

R. Bruce Alderman, Esquire
29 West Susquehanna Avenue
Towson, Maryland 21204

RE: PETITION FOR ZONING VARIANCES
SW/cor. of Padonia Rd. and Deereco Rd.
8th Election District
Deereco Road Limited Partnership - Petitioner
Case No. 87-15-A

Dear Mr. Alderman:

This is to advise you that \$71.00 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing.

BALTIMORE COUNTY, MARYLAND No. 021788 County, Maryland, and remit
OFFICE OF FINANCE - REVENUE DIVISION ng, Towson, Maryland
MISCELLANEOUS CASH RECEIPT

DATE 7/14/86 ACCOUNT 021788
DATE 7/14/86 AMOUNT \$ 71.00
SUSQUEHANNA MANAGEMENT FUND ACCT., 201 W. CHESAPEAKE AVE.,
JOPPA, MD., SUITE 200, JOPPAVILLE, MD. 21093
RECEIVED FROM: Advertising & Posting Fee Case 87-15-A
FOR: 8 8033 *****11001 0146
VALIDATION OR SIGNATURE OF CASHIER

Testimony from Stephen Mulkerin, Project Manager, Coakley & Williams, Inc., the co-developer of the property and operator of the complex, who has many years of experience in the operation of combination hotel-office uses, indicated that 500 spaces would be more than enough to satisfy the parking needs of those using the complex. Hotel guests would be gone when those using the offices came to work. The nature of the uses do not conflict. Glenn Cook, a traffic engineer, conducted a study and concluded that 481 spaces would be needed at peak use. See Petitioner's Exhibit 6.

The Petitioner seeks relief from Sections 409 and 255.2, pursuant to Section 307, Baltimore County Zoning Regulations (BCZR).

An area variance may be granted where strict application of the zoning regulation would cause practical difficulty to the petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the petitioner must meet the following:

1. whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
2. whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
3. whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variances were granted, such use proposed would not be contrary to the spirit of the BCZR and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the

Description to Accompany a Zoning
Petition for Variances.

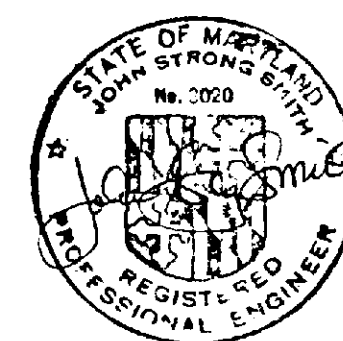
May 7, 1986

RE: John Deere
(Ramada Hotel)

Point of beginning being located on the west side of Deereco Road at its intersection with the south side of Padonia Road thence in a clockwise direction the following courses, viz: 1) South 50° 42' 01" East 66.95 feet, 2) south-easterly by a curve to the left having a radius of 380.00 feet for a distance of 128.73 feet, said curve being subtended by a chord bearing South 15° 27' 15" East 128.12 feet and 3) southeasterly by a curve to the left having a radius of 1127.00 feet for a distance of 218.17 feet, said curve being subtended by a chord bearing South 30° 42' 18" East 217.83 feet, running thence leaving said right of way line, 4) South 55° 27' 53" West 490.26 feet, 5) northwesterly by a curve to the right having a radius of 797.80 feet for a distance of 20.21 feet, said curve being subtended by a chord bearing North 26° 17' 36" West 20.21 feet and 6) South 55° 27' 53" West 101.10 feet, 7) northwesterly by a curve to the right having a radius of 897.80 feet for a distance of 143.23 feet, said curve being subtended by a chord bearing North 22° 00' 10" West 143.07 feet, 8) North 17° 25' 58" West 231.62 feet, 9) northeasterly by a curve to the right having a radius of 175.00 feet for a distance of 297.60 feet, said curve being subtended by a chord bearing North 31° 17' 08" East 263.02 feet to the southernmost right of way line of the Padonia Road, running thence binding on said right of way line of Padonia Road, 10) North 72° 08' 21" East 299.77 feet to the place of beginning.
Containing 5.857 acres of land more or less.

(THIS DESCRIPTION IS FOR ZONING PURPOSES ONLY)

OFFICE COPY



RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
SW/Corner of Padonia Rd. : OF BALTIMORE COUNTY
and Deereco Rd., 8th Dist. :
DEERCO ROAD LIMITED : Case No. 87-15-A
PARTNERSHIP, Petitioner : : : : :
ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 20th day of June, 1986, a copy of the foregoing Entry of Appearance was mailed to R. Bruce Alderman, Esquire, 29 W. Susquehanna Ave., Towson, MD 21204, Attorney for Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

87-15-A

District 8th Date of Posting June 18, 1986
Posted for: Phyllis Cole Friedman
Petitioner: Deereco Road Limited Partnership
Location of property: SW/Corner of Padonia and Deereco Rd.
Location of Sign: West side of Deereco Rd. approx. 230' south of Padonia Road
Remarks: See Note
Posted by: S. J. [Signature] Date of return: June 27, 1986
Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD., June 26, 1986

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of 3 successive weeks, the first publication appearing on June 12, 1986

THE JEFFERSONIAN,

Susan Sinden Obecht

Publisher

Cost of Advertising

22.00

CERTIFICATE OF PUBLICATION

TOWSON, MD., June 25, 1986

THIS IS TO CERTIFY, that the annexed advertisement was published in the TOWSON TIMES, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on June 25, 1986

TOWSON TIMES,

Susan Sinden Obecht

Publisher

34.00

R. Bruce Alderman, Esquire
29 West Susquehanna Avenue
Towson, Maryland 21204

June 13, 1986

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCES
SW/cor. of Padonia Rd. and Deereco Rd.
8th Election District
Deereco Road Limited Partnership - Petitioner
Case No. 87-15-A

TIME: 10:15 a.m.

DATE: Monday, July 14, 1986

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

C. B. Jablon
Zoning Commissioner
of Baltimore County

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 020087

DATE 5/8/86 ACCOUNT 01-615

AMOUNT \$ 100.00

RECEIVED FROM: Mac Kenzie Assoc.

FOR: Filing Fee for VARIANCE - Item No. 416
DEERECD RD LTD PARTNERSHIP - PET

VALIDATION OR SIGNATURE OF CASHIER

THE ATRIUM
FORMERLY
MC CARTHY-HICKS INC.
4638-155
08-13-002140
ML-1M

DEERECO ROAD

PADONIA ROAD

PROPOSED 14 STORY HOTEL
FIRST FLOOR = 3702

PROPOSED 6 STORY OFFICE BUILDING
FIRST FLOOR = 3702

PROP 313 RS IN PARKING STRUCTURE

PARKING STRUCTURE

RAMP OFF THE BALTIMORE HARRISBURG EXPRESSWAY I-83

EXISTING WAREHOUSE
JOHN DEERE

EX. ZONING
ML-1M

PLAN
1:30

25' ±
VARIANCE
REQUESTED IN
LIEU OF PERIOD-
ED 50' PER SECT.
255.2 PRESENT
TO SECT. 245.3.

CABRIAN OUTFALL
PROTECTION SEE
DETAIL SHEET
D-014

P.O.B.

EX. ZONING
ML-1M

PARKING TABULATION

GIFT SHOP 185 SF @ 1 PS/200	0.93 PS.
RESTAURANT/LOUNGE 3250 SF, KITCHEN 2090 SF	
TOTAL OF 5 SF @ 1 PS/50 SF	105.76 PS
MEETING ROOM 3700 SF	
PARKING REQUIRED 1 PS/4 SEATS (528 SEATS+4)	88 PS
SLEEPING ROOMS @ 1 PS/200M (208 ROOMS)	208 PS
OFFICE BUILDING 1ST FLOOR 15,275 SF @ 1 PS/300 SF	50.92 PS
FLOORS 70,355 SF @ 1 PS/500 SF	140.71 PS
TOTAL REQUIRED	574.39 PS+50.92 PS.
TOTAL PROVIDED	523 PS.

VARIANCE REQUESTED OF 500 PS IN LIEU OF THE REQUIRED 597 PS PER SECT 409

THE ATRIUM
FORMERLY
MCCARTHY-HICKS INC.
4638/153
08-15-002140
ML-1M

P.O.B.

DEERCO ROAD

FLINTCOTE CO
0330/142

EX. ZONING
ML-1M

BALTIMORE & HARRISBURG EXPRESSWAY



GWS

GEORGE WILLIAM STEPHENS, JR.
AND ASSOCIATES, INC.

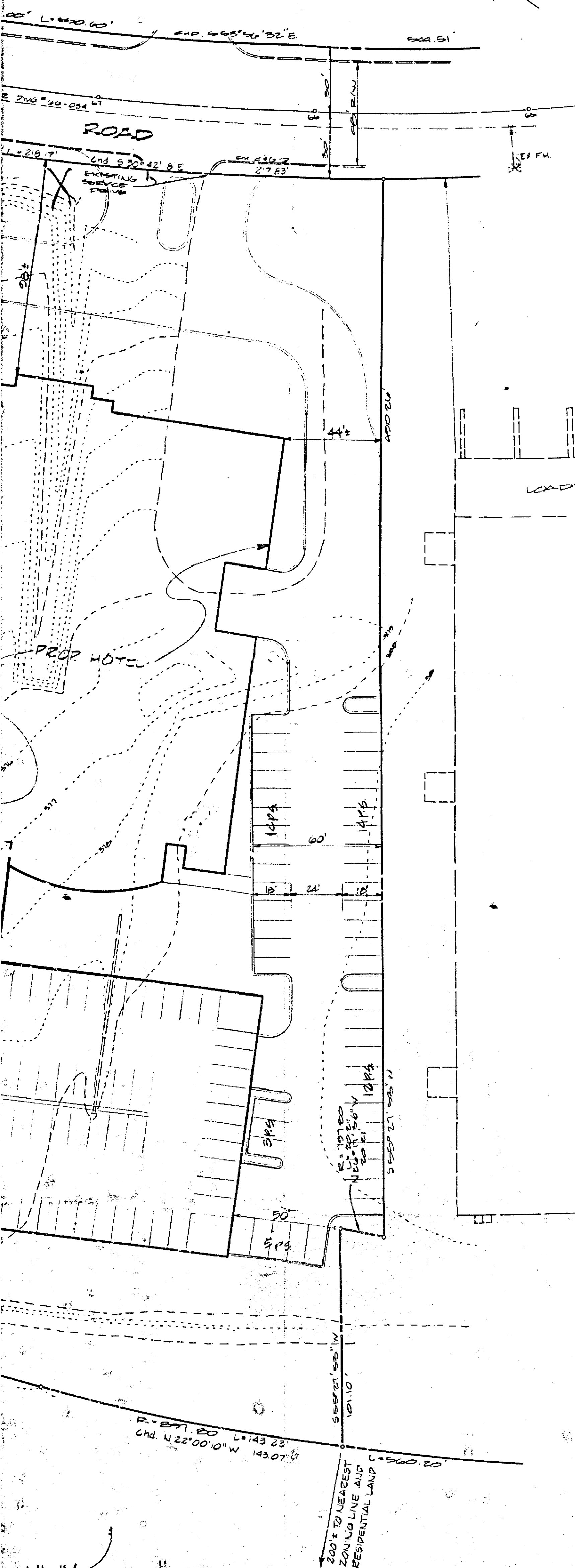
CIVIL ENGINEERS & LAND SURVEYORS

303 ALLEGHENY AVENUE
TOWSON, MARYLAND 21204
(301) 825-8120

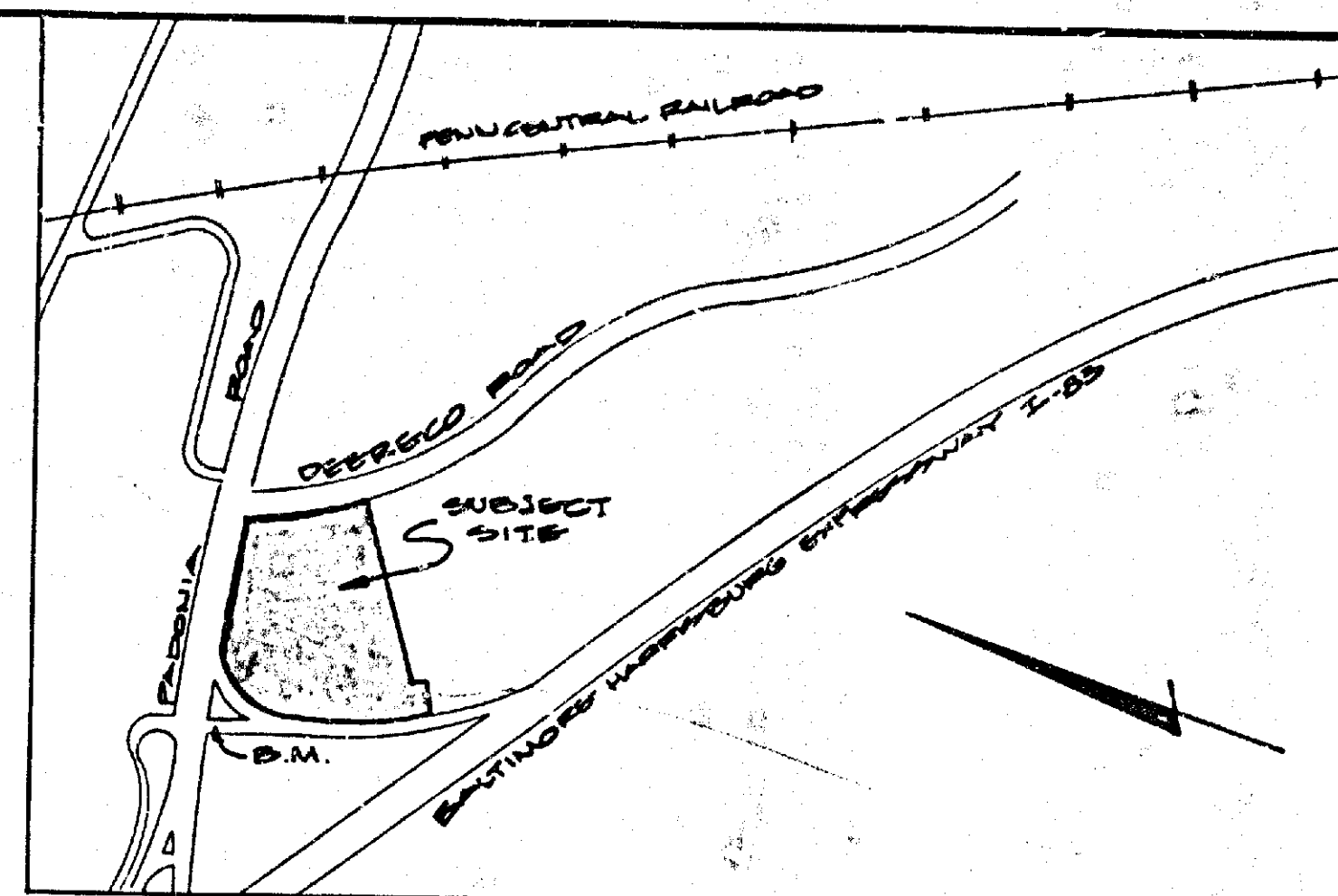
EX. ZONING ML-1M

200' TO NEAREST
ZONING LINE AND
RESIDENTIAL LAND

ATRIUM
MERLY
HY-HIGGS INC
228/155
3-002140
ML-IM



W1105
N15000



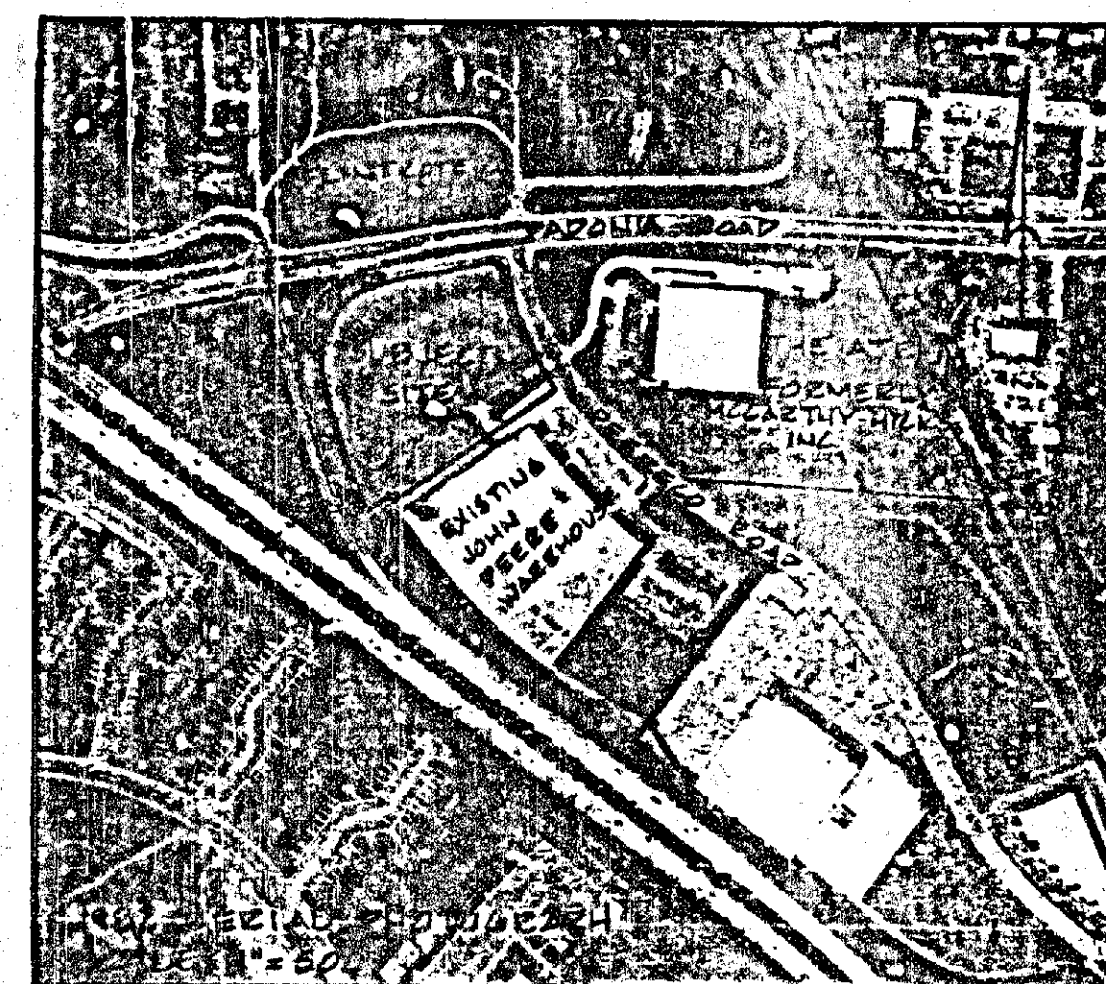
LOCATION MAP
SCALE: 1"=1000'

BENCH MARK V-6400 ELEV. 510.60
X-6411.0' SOUTH OF DEERE ROAD
SOUTHWEST CORNER OF DEERE ROAD AND
OFF RAMP I-83

SITE DATA

1. AREA OF SITE (NET = 3.857 AC.) (60350 sq. ft. = 207,045.5 SF)
2. EX. ZONING - ML-IM
3. PRESENT USE - WAREHOUSE
4. PUBLIC WATER AND SEWER EXISTING
5. PROPOSED USE
OFFICE BUILDING
85,633 SF (GFA)
HOTEL
33,399 SF (GFA)
TOTAL FLOOR AREA 219,032 SF (GFA)
6. FLOOR AREA RATIO
PERMITTED 2.0
PROPOSED 0.82
GFA = 219,032 SF
GFA = 207,045 SF = 0.82
7. PAVING SHALL BE A DURABLE, JUST FREE SURFACE AS
DETERMINED BY SOILS ENGINEER
8. A MINIMUM 8' PLANTING & SCREENING STRIP TO BE PROVIDED
ALONG ALL STREETS IN ACCORDANCE WITH BALTIMORE COUNTY
LANDSCAPE MANUAL
9. ALL LIGHTING SHALL BE SO DIRECTED AS TO NOT INTERFERE
WITH TRAFFIC

DEERE ROAD LIMITED PARTNERSHIP
FORMERLY JOHN DEERE WAREHOUSE
EX. ZONING
ML-IM



PETITIONER'S
EXHIBIT 1

PLAT TO ACCOMPANY A ZONING
PETITION FOR A VARIANCE OF
PARKING REQUIREMENTS AND
A YARD VARIANCE

for the
RAMADA HOTEL
and
OFFICE BUILDING

BALTIMORE CO. MD
MAY 5, 1990
SCALE: 1"=50'

ELECTION
DISTRICT #8

OWNER
DEERE ROAD LIMITED PARTNERSHIP
2328 WEST JOPPA ROAD
SUITE 200
LUTHERVILLE, MARYLAND 21033

OFFICE COPY

#416
1/2 in
8/7/15

416
87-15-A
PETITION FOR ZONING VARIANCE
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:
The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 103.2 to permit 500 parking spaces in lieu of the required 526 parking spaces and from Section 255.2 pursuant to Section 243.3 to permit a rear yard setback of 25 feet in lieu of the required 50 feet

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)
The configuration of the property, especially due to the I-83 off-ramp to the west and north of the subject property, renders it practically difficult and unreasonably hard to develop same without the requested variances.

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.
W 7,540

Contract Purchaser:
(Type or Print Name)
Signature
Address
City and State
Attorney for Petitioner:
R. Bruce Alderman
Address
Towson, Maryland 21204
City and State
Attorney's Telephone No.: 828-1050
Legal Owner(s):
DEERCO ROAD LIMITED PARTNERSHIP
(Type or Print Name)
By: *Clark F. MacKenzie*
Signature
Clark F. MacKenzie,
General Partner
(Type or Print Name)
Signature
2328 West Joppa Road
Suite 200
Address
Lutherville, Maryland 21093
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Name
Address
Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 12th day of June, 1986, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation through Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 14th day of July, 1986, at 10:15 o'clock.

Callahan
Zoning Commissioner of Baltimore County.
(over)
MICROFILMED

DATE *July 1986*
BY *John P. ...*

RECEIVED FOR FILING

DATE *July 1986*
BY *John P. ...*

RECEIVED FOR FILING

DATE *July 1986*
BY *John P. ...*

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DATE *July 1986*
BY *John P. ...*

RECEIVED FOR FILING

DATE *July 1986*
BY *John P. ...*

BALTIMORE COUNTY ZONING PLANS ADV. ORY COMMITTEE

June 30, 1986

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204
Chairman
R. Bruce Alderman, Esquire
29 West Susquehanna Avenue
Towson, Maryland 21204

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

RE: Item No. 416 - Case No. 87-15-A
Petitioner: Deereco Road Limited Partnership
Petition for Zoning Variance
Dear Mr. Alderman:
The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,
James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:kbb
Enclosures
cc: George William Stephens, Jr.
& Associates, Inc.

MICROFILMED

RECEIVED FOR FILING

DATE *July 1986*
BY *John P. ...*

RECEIVED FOR FILING

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RECEIVED FOR FILING

DATE *July 1986*
BY *John P. ...*

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner
Norman E. Gerber, AICP
FROM: Director, Office of Planning & Zoning
Date: July 8, 1986
SUBJECT: Petition for Zoning Variance No. 87-15-A

In view of the mix of uses that will be using the parking, this office is not opposed to the granting of the petitioner's request.

Norman E. Gerber
Norman E. Gerber, AICP

NEG:JGH:bjs

MICROFILMED

RECEIVED FOR FILING

DATE *July 1986*
BY *John P. ...*

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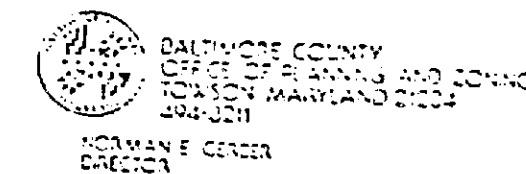
RECEIVED FOR FILING

DATE *July 1986*
BY *John P. ...*

RECEIVED FOR FILING

DATE *July 1986*
BY *John P. ...*

RECEIVED FOR FILING



Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

JULY 1, 1986

Re: Zoning Advisory Meeting of May 20, 1986
Item # 416
Property Owner: DEERCO ROAD LIMITED PARTNERSHIP
Location: SW CORNER PADONIA RD. & DEERCO RD.
Dear Mr. Jablon:
The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are:

- ☐ There are no site planning factors requiring comment.
- ☐ A County Review Group Meeting is required.
- ☐ Forwarded by the Bureau of Public Services.
- ☐ This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- ☐ A record plat will be required and must be recorded prior to issuance of a building permit.
- ☐ The access is not satisfactory.
- ☐ The circulation on this site is not satisfactory.
- ☐ The parking arrangement is not satisfactory.
- ☐ Parking calculations must be shown on the plan.
- ☐ Development on these soils is prohibited.
- ☐ Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-53 of the Development Regulations.
- ☐ Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- ☐ The amended Development Plan was approved by the Planning Board.
- ☒ Landscaping: Must comply with Baltimore County Landscaping Manual, 8111 173-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is:
- ☒ The property is located in a traffic area controlled by a "T" level intersection as defined by Bill 173-79, and as conditions change are re-evaluated annually by the County Council.
- ☒ A WAIVER OF CRG PLAN/MEETING WAS GRANTED BY THE PLANNING BOARD ON MAY 21, 1986.
- ☒ CRG FILE # 105 - 105, K/A FARMINGTON DEERCO SITE

cc: James Howell
Eugene A. Dwyer
Chief, Current Planning and Development

MICROFILMED

RECEIVED FOR FILING

DATE *July 1986*
BY *John P. ...*

RECEIVED FOR FILING

DATE *July 1986*
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DATE *July 1986*
BY *John P. ...*

RECEIVED FOR FILING

DATE *July 1986*
BY *John P. ...*

**BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610**

June 5, 1986

**TED ZAK, M.J.R.
DIRECTOR**

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

Re: Mr. Jablon
Comments on Item # 416 Zoning Advisory Committee Meeting as follows:
Property Owner: Deereco Road Limited Partnership
Location: SW corner Padonia Road and Deereco Road
District: 8th.

APPLICABLE ITEMS ARE CIRCLED

1. All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Age-Related (M.C.H.A.R.) - 1980, and other applicable Codes and Standards.

2. A building and other miscellaneous permits shall be required before the start of any construction.

3. Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/is not required on plans and technical data.

4. Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Registered seals are not acceptable.

5. All Use Groups except B-1 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. B-4 Use Groups require a one hour wall if closer than 3'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 101, Section 1107, Section 1106.2 and Table 1102. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.

6. The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office should be considered until the necessary data pertaining to height/area and construction type is provided. See Table 101 and 505 and have your Architect/Engineer contact this Department.

7. The requested variance appears to conflict with Section(s) _____ of the Baltimore County Building Code.

8. When filing for a required Change of Use/Company Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of Use Groups are from Use _____ to Use _____, or to Mixed Use _____.

9. The proposed project appears to be located in a Flood Plain, Flood Hazard Area. Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevation above sea level for the lot and the finished floor levels including basement.

10. Comments: It is assumed there is a plan showing the handicapped parking spaces as required by the State of Maryland Handicapped Code and Section 512 of the B.O.C.A. Code. This plan does not appear to show any spaces that are wider than normal. As the variance deals with parking spaces it should correctly reflect the spaces.

11. These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, currently the applicant may obtain additional information by visiting Room 102 of the County Office Building at 111 N. Chesapeake Avenue, Towson, Maryland 21204.

Michael S. Flanigan
Traffic Engineer Associate II

4/2/86



FROM THE OFFICE OF
GEORGE WILLIAM STEPHENS, JR. & ASSOCIATES, INC.
ENGINEERS
P.O. BOX 6828, TOWSON, MARYLAND 21204

July 11, 1986

REVISED PARKING TABULATION
PADONIA CORPORATE CENTER
FOR THE
RAMADA HOTEL
AND
OFFICE BUILDING

Gift Shop	141 s.f. @ 1 p.s./200 s.f.	0.71 p.s.
Restaurant/Lounge and Kitchen		
Total of 5805 s.f. @ 1 p.s./50 s.f.		116.1 p.s.
Meeting Room 3291 s.f.		
Parking Required @ 1 p.s./6 seats (203 seats+6)		33.83 p.s.
Sleeping Rooms @ 1 p.s./room (208 rooms)		208 p.s.
Office Building		
1st Floor 16,028 s.f. @ 1 p.s./300 s.f.		53.43 p.s.
2nd-6th Floors 74,505 s.f. @ 1 p.s./500 s.f.		149.01 p.s.
TOTAL REQUIRED		561.08 p.s. = 562 p.s.
TOTAL PROVIDED		4500 p.s.

Variance Requested of 500 p.s.* in lieu of the required 562 p.s. per Section 409.

* Includes 10 handicapped spaces

**PETITIONER'S
EXHIBIT 2**

EDUCATIONAL BACKGROUND

Civil Engineering Preparation - Community College of Baltimore
Traffic Engineering Courses: Northwestern University Traffic Institute; University of Maryland

AFFILIATIONS

Institute of Transportation Engineers

PLACES WHERE TESTIFIED RELATING TO TRAFFIC ENGINEERING MATTERS

Board of Appeals - City of Easton
Zoning Hearing Examiner - Anne Arundel County
Zoning Commissioner - Baltimore County
Planning Board - Montgomery County

**THE
TRAFFIC
GROUP
INC.**

**PARKING REQUIREMENTS FOR DESIRED ROAD PROPERTY
(RAMADA INN AND OFFICE BUILDINGS)**

**THE
TRAFFIC
GROUP
INC.**

Time	Weekday Hotel Uses					Weekday Office Use					Total No. Spaces Required/Hour
	Spaces/ Room	Spaces/ 208 Rooms	Spaces/ 1000 Sq.Ft. For Restaurant/ Lounge	Spaces/ 1000 Sq.Ft. 5805 Sq.Ft. Meeting	Spaces/ 203 Seats	Spaces/ 1000 Sq.Ft. 5805 Sq.Ft. Meeting	Spaces/ 203 Seats	Spaces/ 1000 Sq.Ft. 5805 Sq.Ft. Meeting	Spaces/ 203 Seats	Spaces/ 1000 Sq.Ft. 5805 Sq.Ft. Meeting	
6:00am	1.00	208	2.00	12	0.00	0	0.10	0	0	0	229
7:00	0.85	177	2.00	12	0.00	0	0.40	0	0	54	243
8:00	0.65	135	2.00	12	0.20	41	1.40	172	172	359	481
9:00	0.55	114	2.00	12	0.50	102	2.80	253	253	478	481
10:00	0.45	94	2.00	12	0.50	102	3.00	272	272	443	437
11:00	0.35	73	3.00	17	0.50	102	3.00	272	272	443	437
12:00pm	0.30	62	5.00	29	0.50	102	2.70	244	244	449	449
1:00	0.30	62	7.00	41	0.50	102	2.70	244	244	449	449
2:00	0.35	73	6.00	35	0.50	102	2.90	263	263	472	472
3:00	0.35	73	5.50	32	0.50	102	2.60	253	253	460	460
4:00	0.45	94	5.00	29	0.50	102	2.70	244	244	449	449
5:00	0.60	125	7.00	41	0.50	102	1.40	127	127	394	394
6:00pm	0.70	146	9.00	52	0.50	102	0.70	63	63	363	363
7:00	0.75	156	10.00	58	0.50	102	0.70	63	63	366	366
8:00	0.90	187	10.00	58	0.50	102	0.70	63	63	366	366
9:00	0.95	198	10.00	58	0.50	102	0.70	63	63	366	366
10:00	1.00	208	9.00	52	0.20	41	0.10	9	9	310	310
11:00	1.00	208	7.00	41	0.00	0	0.00	0	0	249	249
12:00am	1.00	208	5.00	29	0.00	0	0.00	0	0	237	237

**PETITIONER'S
EXHIBIT 6**

THE TRAFFIC GROUP, INC.

Suite 223, Greenspring Station
2360 W. Joppa Road
Lutherville, Maryland 21093
Telephone 301-583-8405

RESUME'S AND QUALIFICATIONS

MR. GLENN E. COOK

TRAFFIC ENGINEER

Mr. Cook has three years experience conducting Traffic Impact Studies, Geometric Design Plans, Parking Lot Layout Plans, Highway Lighting Plans and Traffic Control Plans. Mr. Cook's experience extends from small family subdivisions to the 2 million square foot PortAmerica Project and the 6 million square foot Presidential Corporate Centre Project.

Mr. Cook has over 13 years experience in the preparation of traffic signal design and construction plans. First, as a member of the Maryland State Highway Administration for 11 years and more recently as a consultant. Mr. Cook has personally designed or supervised the design of over 300 signalized intersections throughout Maryland and Northern Virginia. Mr. Cook's long experience in the public sector provides him with a wide range of knowledge to deal with the complex problems associated with receiving public agency approval of design and construction projects.

JOB HISTORY

1983 to Present
Traffic Engineering Consultant
1983 - 1979
Chief, Office Engineering Section
Maryland State Highway Administration
1979 - 1972
Traffic Signal Design Section
Maryland State Highway Administration

**PETITIONER'S
EXHIBIT 5**

**BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550**

**STEPHEN E. COLLINS
DIRECTOR**

June 19, 1986

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 416 - ZAC-
Property Owner: Deereco Road Limited Partnership
Location: SW corner Padonia Road and Deereco Road
Existing Zoning: M.L. - IM
Proposed Zon. ng: Variance to permit 500 parking spaces in lieu of the required 596 parking spaces and to permit a rear yard setback of 25 feet in lieu of the required 50 feet.
5.875 acres
8th Election District

Acres:
District:

Dear Mr. Jablon:

The variance to parking can be expected to cause congestion on Padonia Road.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate II

MSF:lt

87-15-A

JUN 19 1987

IN RE: PETITION ZONING VARIANCES * BEFORE THE
SW/corner of Padonia and * ZONING COMMISSIONER
Deereco Roads - 8th Election *
District * OF BALTIMORE COUNTY
Deereco Road Limited Partner- *
ship, * Case No. 87-15-A
Petitioner *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests variances to permit 500 parking spaces in lieu of the required 596 spaces and a rear yard setback of 25 feet in lieu of the required 50 feet, as more particularly described on Petitioner's Exhibit 1.

The Petitioner, by Gary Gill, President, Clark MacKenzie & Associates, its General Partner, appeared and was represented by Counsel. There were no Protestants.

At the onset of the hearing, the Petitioner moved to amend the Petition to reflect a new computation for the parking variance requested. Based on the projected uses, 562 spaces would be needed to satisfy the zoning requirements instead of the 596 spaces calculated. The motion was granted. Still, only 500 spaces can be provided.

Testimony indicated that the subject property, located at the corner of Deereco and Padonia Roads and zoned M.L.-I.M., will be improved with a hotel-office complex. Due to the location of Interstate 83 and an off-ramp from the highway, a rear yard setback of 25 feet in lieu of the required 50 feet from the building to the property line is required. If the off-ramp were not located where it is, no variance would be necessary. The building cannot be relocated due to the size of the property and its sole access being from Deereco Road.

instant variances were not granted. It has been established that the requirement from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variances requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variances should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 13th day of July, 1986, that the Petition for Zoning Variances to permit 500 parking spaces in lieu of the required 562 spaces and a rear yard setback of 25 feet instead of the required 50 feet be and is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions, which are conditions precedent to the relief granted herein:

1. The Petitioner may apply for its building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. A revised site plan shall be submitted to the Zoning Commissioner for approval. If any further revisions are necessary, they must be submitted to the Zoning Commissioner for approval and no hearing will be required.

[Signature]
Zoning Commissioner of
Baltimore County

cc: Bruce Alderman, Esquire
People's Counsel

- 3 -

PETITION FOR ZONING VARIANCES

8th Election District
Case No. 87-15-A

LOCATION: Southwest Corner of Padonia Road and Deereco Road

DATE AND TIME: Monday, July 14, 1986, at 10:15 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Zoning Variances to permit 500 parking spaces in lieu of the required 596 spaces and a rear yard setback of 25 feet in lieu of the required 50 feet

Being the property of Deereco Road Limited Partnership, as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

July 9, 1986

R. Bruce Alderman, Esquire
29 West Susquehanna Avenue
Towson, Maryland 21204

RE: PETITION FOR ZONING VARIANCES
SW/cor. of Padonia Rd. and Deereco Rd.
8th Election District
Deereco Road Limited Partnership - Petitioner
Case No. 87-15-A

Dear Mr. Alderman:

This is to advise you that \$71.00 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing.

BALTIMORE COUNTY, MARYLAND No. 021788 County, Maryland, and remit
OFFICE OF FINANCE - REVENUE DIVISION ng, Towson, Maryland
MISCELLANEOUS CASH RECEIPT

DATE 7/14/86 ACCOUNT 021788
DATE 7/14/86 AMOUNT \$ 71.00
SUSQUEHANNA MANAGEMENT FUND ACCT., 201 W. Chesapeake Ave., Suite 200, Baltimore, MD, 21201
RECEIVED FROM: Advertisement & Posting Fee Case 87-15-A
FOR: 8 8033-*****11001 014-F
VALIDATION OR SIGNATURE OF CASHIER

Testimony from Stephen Mulkerin, Project Manager, Coakley & Williams, Inc., the co-developer of the property and operator of the complex, who has many years of experience in the operation of combination hotel-office uses, indicated that 500 spaces would be more than enough to satisfy the parking needs of those using the complex. Hotel guests would be gone when those using the offices came to work. The nature of the uses do not conflict. Glenn Cook, a traffic engineer, conducted a study and concluded that 481 spaces would be needed at peak use. See Petitioner's Exhibit 6.

The Petitioner seeks relief from Sections 409 and 255.2, pursuant to Section 307, Baltimore County Zoning Regulations (BCZR).

An area variance may be granted where strict application of the zoning regulation would cause practical difficulty to the petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the petitioner must meet the following:

1. whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
2. whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
3. whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variances were granted, such use as proposed would not be contrary to the spirit of the BCZR and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the

- 2 -

Description to Accompany a Zoning
Petition for Variances.

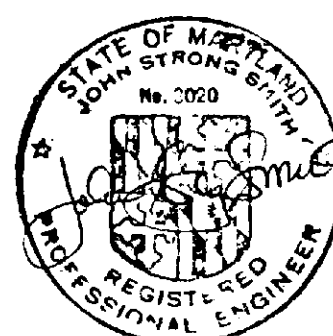
May 7, 1986

RE: John Deere
(Ramada Hotel)

Point of beginning being located on the west side of Deereco Road at its intersection with the south side of Padonia Road thence in a clockwise direction the following courses, viz: 1) South 50° 42' 01" East 66.95 feet, 2) south-easterly by a curve to the left having a radius of 380.00 feet for a distance of 128.73 feet, said curve being subtended by a chord bearing South 15° 27' 15" East 128.12 feet and 3) southeasterly by a curve to the left having a radius of 1127.00 feet for a distance of 218.17 feet, said curve being subtended by a chord bearing South 30° 42' 18" East 217.83 feet, running thence leaving said right of way line, 4) South 55° 27' 53" West 490.26 feet, 5) northwesterly by a curve to the right having a radius of 797.80 feet for a distance of 20.21 feet, said curve being subtended by a chord bearing North 26° 17' 36" West 20.21 feet and 6) South 55° 27' 53" West 101.10 feet, 7) northwesterly by a curve to the right having a radius of 897.80 feet for a distance of 143.23 feet, said curve being subtended by a chord bearing North 22° 00' 10" West 143.07 feet, 8) North 17° 25' 58" West 231.62 feet, 9) northeasterly by a curve to the right having a radius of 175.00 feet for a distance of 297.60 feet, said curve being subtended by a chord bearing North 31° 17' 08" East 263.02 feet to the southernmost right of way line of the Padonia Road, running thence binding on said right of way line of Padonia Road, 10) North 72° 08' 21" East 299.77 feet to the place of beginning.
Containing 5.857 acres of land more or less.

(THIS DESCRIPTION IS FOR ZONING PURPOSES ONLY)

OFFICE COPY



RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
SW/Corner of Padonia Rd. : OF BALTIMORE COUNTY
and Deereco Rd., 8th Dist. :
DEERCO ROAD LIMITED : Case No. 87-15-A
PARTNERSHIP, Petitioner : : : : :
ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

[Signature]
Phyllis Cole Friedman
People's Counsel for Baltimore County

[Signature]
Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 20th day of June, 1986, a copy of the foregoing Entry of Appearance was mailed to R. Bruce Alderman, Esquire, 29 W. Susquehanna Ave., Towson, MD 21204, Attorney for Petitioner.

[Signature]
Peter Max Zimmerman

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

87-15-A

District 8th Date of Posting June 18, 1986
Posted for: Deereco Road Limited Partnership
Petitioner: Deereco Road Limited Partnership
Location of property: SW/Corner of Padonia Rd. and Deereco Rd.
Location of Sign: West side of Deereco Rd. approx. 230' south of Padonia Road
Remarks: See Note
Posted by: [Signature] Date of return: June 27, 1986
Number of Signs: 1

JUN 19 1987

CERTIFICATE OF PUBLICATION

TOWSON, MD., June 26, 1986

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of 3 successive weeks, the first publication appearing on June 12, 1986

THE JEFFERSONIAN,

Susan Sinden Obecht

Publisher

Cost of Advertising

22.00

CERTIFICATE OF PUBLICATION

TOWSON, MD., June 25, 1986

THIS IS TO CERTIFY, that the annexed advertisement was published in the TOWSON TIMES, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on June 25, 1986

TOWSON TIMES,

Susan Sinden Obecht

Publisher

34.00

R. Bruce Alderman, Esquire
29 West Susquehanna Avenue
Towson, Maryland 21204

June 13, 1986

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCES
SW/cor. of Padonia Rd. and Deereco Rd.
8th Election District
Deereco Road Limited Partnership - Petitioner
Case No. 87-15-A

TIME: 10:15 a.m.

DATE: Monday, July 14, 1986

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

C. B. Jablon
Zoning Commissioner
of Baltimore County

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 020087

DATE 5/8/86 ACCOUNT 01-615

AMOUNT \$ 100.00

RECEIVED FROM: Mac Kenzie Assoc.

FOR: Filing Fee for Variance Item No. 416
DEERECD LTD PARTNERSHIP - PET

VALIDATION OR SIGNATURE OF CASHIER

THE ATRIUM
FORMERLY
MC CARTHY-HICKS INC.
4638-155
08-13-002140
ML-1M

DEERECO ROAD

PADONIA ROAD

PROPOSED 14 STORY HOTEL
FIRST FLOOR = 3702

PROPOSED 6 STORY OFFICE BUILDING
FIRST FLOOR = 3702

PROP 313 RS IN PARKING STRUCTURE

PARKING STRUCTURE

RAMP OFF THE BALTIMORE HARRISBURG EXPRESSWAY I-83

EXISTING WAREHOUSE
JOHN DEERE

EX. ZONING
ML-1M

PLAN
1:30

25' ±
VARIANCE
REQUESTED IN
LIEU OF PERIOD-
IC 50' PER SECT.
255.2' PER SECT.
TO SECT. 245.3.

CABRIAN OUTFALL
PROTECTION SEE
DETAIL SHEET
3 OF 4

P.O.B.

EX. ZONING
ML-1M

PARKING TABULATION

GRF SHOP 185 SF @ 1 PS/200	0.93 PS
RESTAURANT/LOUNGE 3250 SF, KITCHEN 2090 SF	
TOTAL OF 5 SF @ 1 PS/50 SF	105.76 PS
MEETING ROOM 3700 SF	
PARKING REQUIRED 1 PS/4 SEATS (528 SEATS+4)	88 PS
SLEEPING ROOMS @ 1 PS/200M (208 ROOMS)	208 PS
OFFICE BUILDING 1ST FLOOR 15,275 SF @ 1 PS/300 SF	50.92 PS
FLOORS 70,355 SF @ 1 PS/500 SF	140.71 PS
TOTAL REQUIRED	574.39 PS = 574 PS
TOTAL PROVIDED	523 PS

VARIANCE REQUESTED OF 500 PS IN LIEU OF THE REQUIRED 574 PS PER SECT 409

THE ATRIUM
FORMERLY
MCCARTHY-HICKS INC.
4638/153
08-15-002140
ML-1M

P.O.B.

DEERCO ROAD

FLINTCOTE CO
0330/142

EX. ZONING
ML-1M

BALTIMORE & HARRISBURG EXPRESSWAY



GWS

GEORGE WILLIAM STEPHENS, JR.
AND ASSOCIATES, INC.

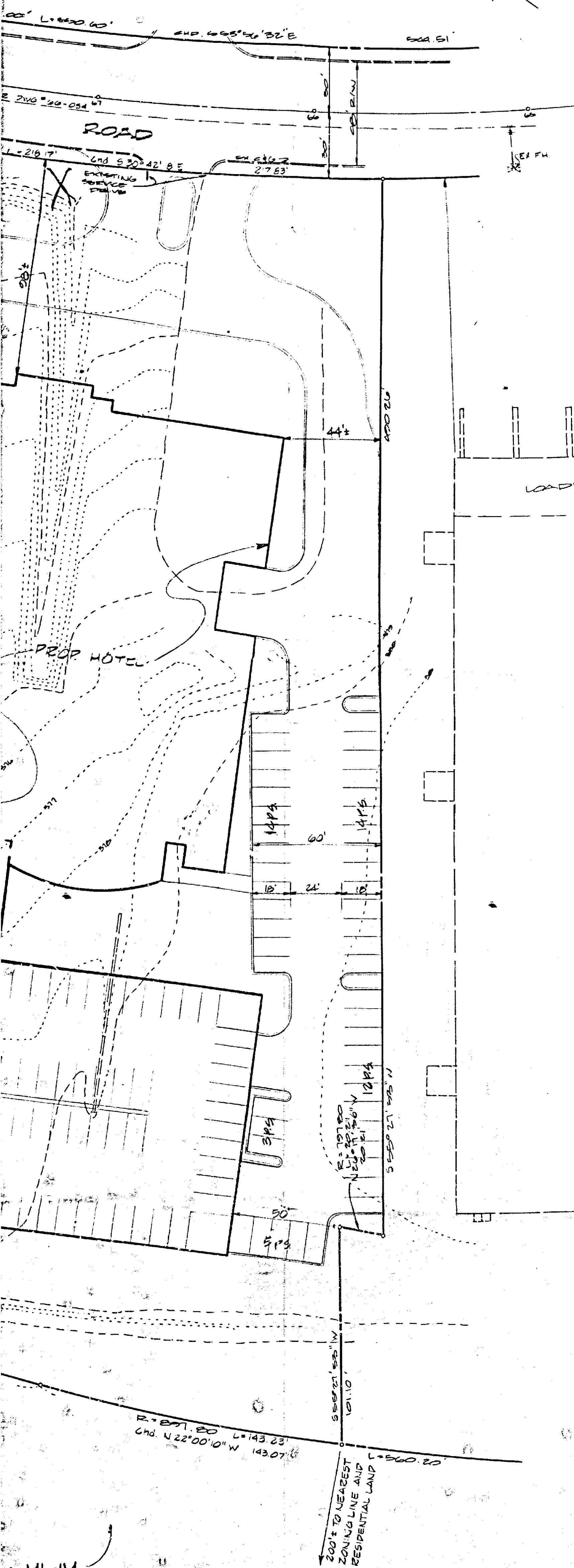
CIVIL ENGINEERS & LAND SURVEYORS

303 ALLEGHENY AVENUE
TOWSON, MARYLAND 21204
(301) 825-8120

EX. ZONING ML-1M

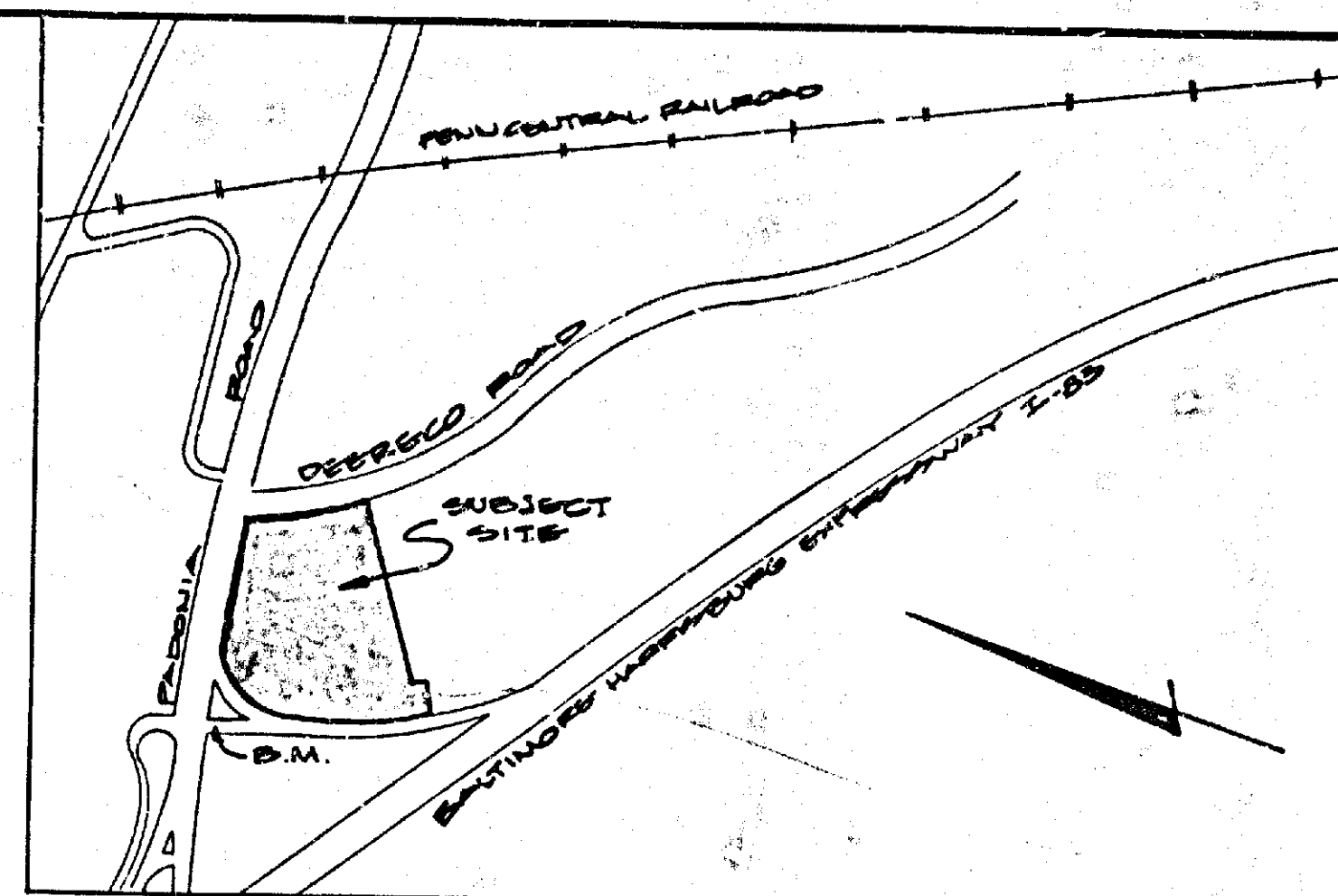
200' TO NEAREST
ZONING LINE AND
RESIDENTIAL LAND

ATRIUM
 MERLY
 HY-HIGGS INC
 228/155
 3-002140
 ML-IM



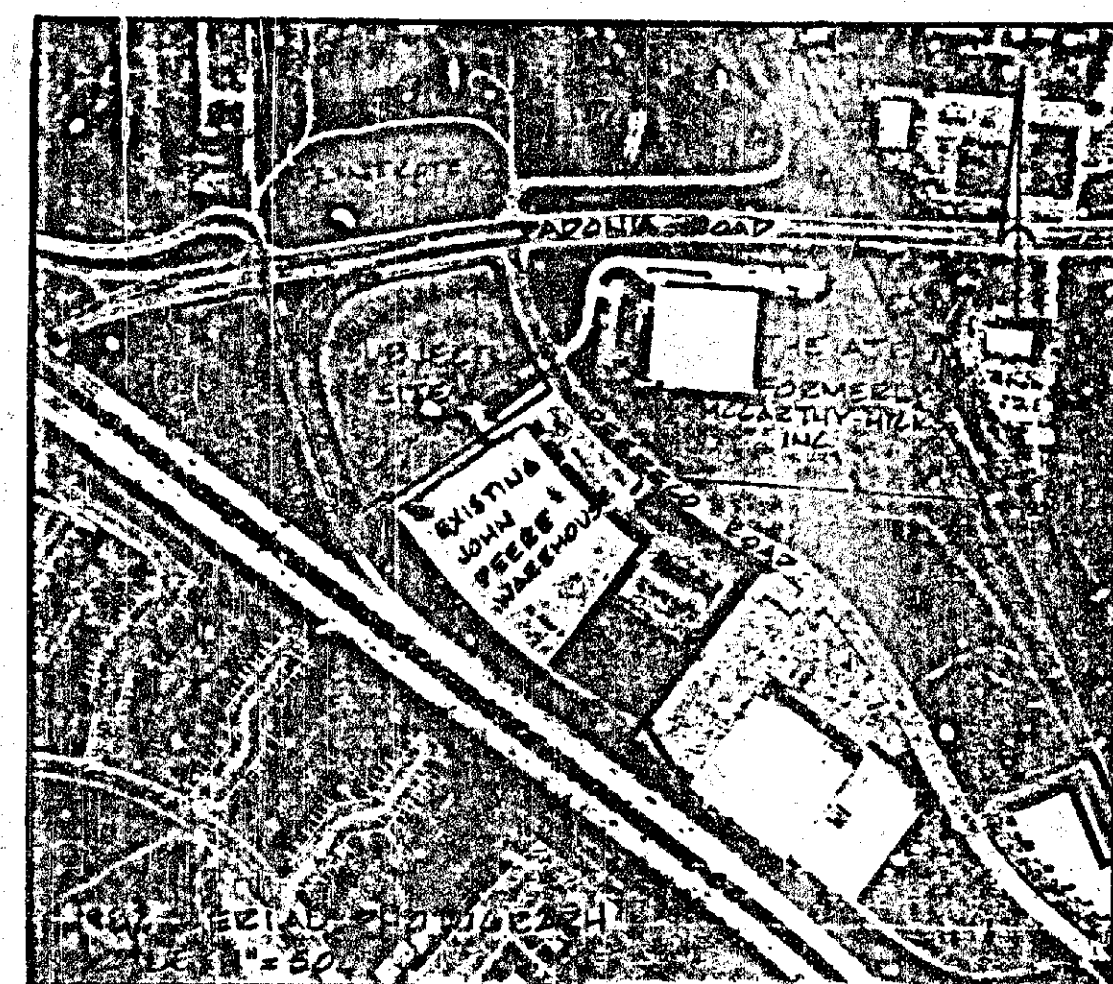
DEERELO ROAD LIMITED PARTNERSHIP
 FORMERLY JOHN DEERE WAREHOUSE
 EX ZONING
 ML-IM

OWNER
 DEERELO ROAD LIMITED PARTNERSHIP
 2328 WEST JOPPA ROAD
 SUITE 200
 LUTHERVILLE, MARYLAND 21093



LOCATION MAP
 SCALE: 1"=500'
 BENCH MARK V-6400 ELEV. 510.60
 X-OUT 1.0' SOUTH OF DEERELO ROAD
 SOUTHWEST CORNER OF DEERELO ROAD AND
 OFF RAMP I-83

- SITE DATA**
1. AREA OF SITE (NET = 3.857 AC.) (60,350 sq. ft. = 207,045.5 SF)
 2. EX. ZONING - ML-IM
 3. PRESENT USE - WAREHOUSE
 4. PUBLIC WATER AND SEWER EXISTING
 5. PROPOSED USE
 OFFICE BUILDING
 85,693 SF (GFA)
 HOTEL
 33,399 SF (GFA)
 TOTAL FLOOR AREA 219,032 SF (GFA)
 FLOOR AREA RATIO 2.0
 PROPOSED 2.0
 GFA = 219,032 SF
 GFA = 207,045 SF = 0.82
 7. PAVING SHALL BE A DURABLE, JUST FREE SURFACE AS DETERMINED BY SOILS ENGINEER
 8. A MINIMUM 8' PLANTING & SCREENING STRIP TO BE PROVIDED ALONG ALL STREETS IN ACCORDANCE WITH BALTIMORE COUNTY LANDSCAPE MANUAL
 9. ALL LIGHTING SHALL BE SO DIRECTED AS TO NOT INTERFERE WITH TRAFFIC



PETITIONER'S
 EXHIBIT 1

PLAT TO ACCOMPANY A ZONING
 PETITION FOR A VARIANCE OF
 PARKING REQUIREMENTS AND
 A YARD VARIANCE

for the
 RAMADA HOTEL
 and
 OFFICE BUILDING

BALTIMORE CO. MD ELECTION
 MAY 5, 1990 DISTRICT #8
 SCALE 1"=50'

OFFICE COPY
 #416
 1/2 in
 8/15/90